IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 1481 OF 2006

Chatrabhuj Narsee Memorial School
Parents Welfare Forum and Ors. ... Petitioners

Vs.

Shri Vile Parle Kelavani Mandal
and Ors. ... Respondents

Mr. J. Reis with Mr. K.R. Parekh for Petitioner.

Mr. P.K. Dhakephalkar, Sr. Counsel and Ms. S. Shaikh i/by S.K. Srivastava and Co. for R. No. 1.

Mr.M.D. Naik, A.G.P. for R. No. 5.

CORAM: F.I. REBELLO &
ANOOP V. MOHTA,JJ.
DATED: OCTOBER 12, 2006

P.C.:

. The Petitioners who are the parents of the students in the school run by Respondent No. 1, had challenged the increase in the fees by the Institution. During the course of the pendency of the petition, the Education Inspector was asked to consider the representation made by the Petitioners herein. Shri. Ravindra Bhise, Education Inspector has filed an affidavit. He points out that the matter was examined based on the documents produced including audited accounts of the school. On verification it was found out, as set out in Paragraph 4 in the affidavit in reply, that the expenditure is in terms of the rules. It is further set out that the Parents Teachers Association has passed a resolution accepting the

increase in fees. In fact hearing by the Education Inspector ought to have been given to P.T.A. if they had filed a complaint as per the instructions, but in order to enable the Petitioner to move a fact finding authority, the Authority was directed to consider the representation.

. On behalf of the Petitioners, their learned counsel draws our attention to Exh. E at Page 69 of the Petition to show that disproportionate amounts have been transferred to the parents association. It is also submitted that the parent teachers association has not approved the same. When the Petition was filed, the Parents Teacher Association was not made a party. By way of Chamber summons, they are sought to be made party. At this stage, we are not inclined to consider the chamber summons. If the P.T.A. has any grievance in the matter of fixation of fees, it will be open to them to take such steps to which they are entitled to. At any rate, we are not inclined to interfere at the instance of the Petitioners herein. With the above observations, Petition disposed of.

. If the Petitioners have any other remedy including by way of suit, they are free to do so if they are so entitled to and disposal of the Petition would not stand in their way.

(ANOOP V. MOHTA,J.) **(F.I.REBELLO, J.)**